

01-08-02

[217] Attorney Docket No. : CGW-263.1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Nicholas F. Borrelli, Thomas P. Seward III,
and Charlene M. Smith
Serial No. : Not Yet Assigned
Filed : Simultaneously Herewith
For : SILICA WITH LOW COMPACTION UNDER HIGH
ENERGY IRRADIATION

Prior Application:

Serial No. : 09/254,114
Filed : February 25, 1999
For : SILICA WITH LOW COMPACTION UNDER HIGH
ENERGY IRRADIATION
Examiner : K. Group
Group : 1755

Box Patent Application
Commissioner of Patents and Trademarks
Washington, D.C. 20231

FILING UNDER 37 CFR §1.53(b)

Express Mail Information

Date of Deposit: October 26, 2001

Express Mail mailing label number: ET091360876

FILING UNDER 37 CFR §1.53(b)

Transmitted herewith for filing is the patent application of:

Inventors : Nicholas F. Borrelli, Thomas P. Seward III,
and Charlene M. Smith

For : SILICA WITH LOW COMPACTION UNDER HIGH
ENERGY IRRADIATION

Enclosed are:

1. Disclosure (8 pages)
2. Claims (2 pages)
3. Abstract (1 page)
4. Drawings (1 figure, 1 sheet)
5. Declaration and Power of Attorney (2 pages)
6. Certificate Under 37 CFR 3.73(b) (2 pages)
7. Preliminary Amendment (9 pages, with attached Exhibits A-B)
8. Transmittal of Formal Drawings (1 page)
9. Formal drawing (1 figure, 1 sheet, formal)
10. Information Disclosure Statement (2 pages)
11. Modified 1449 Form (4 pages)
12. Associate Power of Attorney (1 page)
13. Filing Under 37 CFR 1.53(b) (4 pages; this paper)
14. Check for \$740.00
15. Application Data Sheet (2 pages)
16. Express Mail Information (1 page)
17. Return Receipt Postcard (1 card)

This is a divisional application under 35 USC §120 and 35 USC §121 of pending prior application Serial No. 09/254,114 which is a continued prosecution application of applicants' original application of the same serial number filed on February 25, 1999. Application Serial No. 09/254,114 is a 371 of PCT/US97/15233 filed on August 27, 1997 which claims priority from U.S. Provisional Application No. 60/024,995 filed on August 29, 1996.

Oath or Declaration

 Newly executed (original or copy)
X Copy from a prior application (37 CFR 1.63(d))

X Incorporation By Reference

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

X With respect to the prior copending U.S. application from which this application claims benefit under 35 USC § 120, the inventors of the claims of this application are the same as the inventors of the claims of the prior application.

X Applicant hereby claims the benefit under Title 35, United States Code § 119(e) of United States Provisional Patent Application Serial No. 60/024,995 filed on August 29, 1996.

X A preliminary amendment canceling Claims 1 and 5, amending Claims 2-4, and adding Claims 6-11 is enclosed. The following filing fee calculation is based on the claims remaining in this application after the entry of this preliminary amendment.

LARGE ENTITY

The filing fee has been calculated as shown below:

Basic Fee:		\$ 740.00
Total Claims:	9 - 20 = 0 x 18	0.00
Indep. Claims:	3 - 3 = 0 x 84	0.00
Multiple dep. claim(s), if any:	+ 280	<u>0.00</u>
Total:		\$ 740.00

A check in the amount of \$740.00 is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or credit any overpayment, to Deposit Account No. 11-1158.

X An information disclosure statement is submitted herewith.

X New formal drawings are enclosed

- X The prior application is assigned of record to Corning Incorporated.
- X The power of attorney in the prior application is to Angela N. Nwaneri, Reg. No. 34,229, and Milton M. Peterson, Reg. 16,391.
- X Since the power of attorney does not appear in the original papers, a copy of the power in the prior application, i.e., Certificate Under 37 CFR 3.73(b), is enclosed.
- X Submitted herewith is an Associate Power of Attorney to Maurice M. Klee, Reg. No. 30,399.

Throughout the prosecution of this application, the Commissioner is authorized to charge all fees under 37 CFR 1.17, including all required extension of time fees, to Deposit Account No. 11-1158.

Address all future communications to:

Maurice M. Klee, Ph.D.
Attorney at Law
1951 Burr Street
Fairfield, CT 06430
(203) 255-1400

Respectfully submitted,

Date: 10/26/01

Maurice Klee

Maurice M. Klee, Ph.D.
Reg. No. 30,399
Attorney for Applicant
1951 Burr Street
Fairfield, CT 06430
(203) 255-1400

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Washington, D.C. 20231

EXPRESS MAIL INFORMATION

Attached hereto are the following papers which are being mailed to the Commissioner of Patents and Trademarks, Washington, D.C., 20231, utilizing the "Express Mail Post Office to Addressee" service of the United States Postal Service on the date indicated below:

1. Disclosure (8 pages)
2. Claims (2 pages)
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Person depositing papers with
the U.S. Postal Service:

Sarah Bedichek

October 26, 2001

Date Signed

Sarah Bedichek
Sarah Bedichek

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Commissioner of Patents and Trademarks
Washington, D.C. 20231

TRANSMITTAL OF FORMAL DRAWING

Submitted herewith is a formal drawing (1 sheet) for the above-identified application.

Respectfully submitted,

Date: 10/26/01 Maurice Klee
Maurice M. Klee, Ph.D.
Reg. No. 30,399
Attorney for Applicant
1951 Burr Street
Fairfield, CT 06430
(203) 255-1400

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